

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
BROTHER'S MINI MARKET INC. et al. :  
:  
Plaintiffs, :  
: 23-CV-10646 (JMF)  
-v- :  
: ORDER  
UNITED STATES DEPARTMENT OF :  
AGRICULTURE, FOOD AND NUTRITION SERVICE, :  
:  
Defendant. :  
:  
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JESSE M. FURMAN, United States District Judge:

As stated on the record during the teleconference held earlier today:

- Plaintiffs' application for a temporary restraining order, ECF No. 5, is DENIED.
- Unless and until the Court orders otherwise (based on a proposal by the parties to tee up summary judgment practice or otherwise):
  - Defendant shall file an opposition to Plaintiffs' motion for a preliminary injunction and/or any motion to dismiss (supported by a single, consolidated memorandum of law) by **January 4, 2024**;
  - Plaintiffs shall file a reply in support of their motion for a preliminary injunction and/or an opposition to Defendant's motion to dismiss (supported by a single, consolidated memorandum of law) by **January 16, 2024**; and
  - Defendant shall file any reply in support of any motion to dismiss by **January 22, 2024**.

SO ORDERED.

Dated: December 18, 2023  
New York, New York



JESSE M. FURMAN  
United States District Judge